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In Re: Christian Womack

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 19-2677

IN RE: CHRISTIAN DIOR WOMACK,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Eastern District of Pennsylvania
(Related to Crim. No. 13-cr-00206-001)

Submitted Pursuant to Rule 21, Fed. R. App. P.
August 1, 2019
Before: JORDAN, GREENAWAY, Jr., and NYGAARD, Circuit Judges
(Opinion filed August 30, 2019)

OPINION*

PER CURIAM

Christian Dior Womack has filed a petition for a writ of mandamus. For the reasons below, we will deny the petition.

In his mandamus petition, Womack seeks a determination as to whether his criminal defense counsel violated 18 U.S.C. § 3006A(f) of the Criminal Justice Act because he purportedly accepted payment without court approval. However, we have

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

already addressed this issue. We affirmed the District Court’s denial of Womack’s motion to order defense counsel to show cause why he did not violate the Criminal Justice Act. See United States v. Womack, 749 F. App’x 136, 139 (3d Cir. 2018), cert. denied, 139 S. Ct. 1575 (2019) (“[T]he District Court explained that only a few days elapsed from when [defense counsel] was appointed as CJA counsel until he requested termination of his appointment, that he sought and obtained the Court’s approval to appear as a privately-retained attorney, and that he did not request compensation in his capacity as CJA counsel.”) Womack simply seeks another round of review of the District Court’s decision. He is not entitled to such review. Besides, a petition for a writ of mandamus is not a substitute for an appeal. See In Re Brisco, 448 F.3d 201, 212 (3d Cir. 2006).

For the above reasons, we will deny the mandamus petition.